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**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

ARISTA NETWORKS, INC.,

Defendant.

CASE NO. 5:14-cv-5344-BLF

**DECLARATION OF MARK TUNG IN  
SUPPORT OF PLAINTIFF CISCO  
SYSTEMS, INC.'S REPLY CLAIM  
CONSTRUCTION  
BRIEF**

1 I, Mark Tung, hereby declare as follows:

2 1. I am Of Counsel at Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff  
3 Cisco Systems, Inc. I submit this declaration in support of the Cisco's Reply Claim Construction  
4 Brief. I have personal knowledge of the following facts, and would competently testify to them  
5 if called upon to do so.  
6

7 2. Attached hereto as Exhibit 9 is a true and correct copy of excerpts of the deposition  
8 of Jeffrey Wheeler, taken November 12, 2015.

9 3. Attached hereto as Exhibit 10 is a true and correct copy of excerpts of the  
10 deposition of Kevin Almeroth, taken November 23, 2015.

11  
12 I declare under penalty of perjury that the foregoing is true and correct. Executed on  
13 December 21, 2015, in Redwood Shores, California.

14 By /s Mark Tung  
15 Mark Tung  
16  
17  
18

19 **ATTESTATION**

20  
21 I, Sean S. Pak, am the ECF user whose userid and password authorized the filing  
22 of this document. Under Civil L.R. 5-1(i)(3), I attest that Mark Tung has concurred in  
23 this filing.

24 DATED: December 21,  
25 2015

/s Sean S. Pak  
Sean S. Pak  
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